

Appln. No. 10/501,675
Amd. dated March 4, 2008
Reply to Office Action of October 10, 2007

REMARKS

The Office Action has been carefully reviewed. No claim is allowed. Claims 15-17 and 27-29 presently appear in this application and define patentable subject matter warranting their allowance. Reconsideration and allowance are hereby respectfully solicited.

Attached hereto is a verified English translation of Japanese priority application 2002-008435 for the record.

The amendment to claims 15, 27 and 28 as discussed below were suggested by the examiner and therefore do not raise any new issues.

Claims 22-24 and 28-29 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite. This rejection is obviated by the cancellation of rejected claims 22-24 without prejudice and the amendment to claim 28 to recite the high-stringent hybridization conditions as suggested by the examiner at the bottom of page 4 of the Office Action and as supported in the specification at page 16, line 23 to page 17, line 2.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

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Claims 15-17, 22-24 and 27-29 have been rejected under 35 U.S.C. §112, first paragraph, because the examiner states that the specification, while being enabling for the human phospholipase A2 of SEQ ID NO:9, its encoding DNA of SEQ ID NO:8 and methods of their use, does not reasonably provide enablement for a polypeptide encoded by a nucleic acid molecule capable of hybridizing in the recited hybridization conditions because the examiner holds that the language of the claims does not state the temperature of washing and thus it is understood that the temperature of washing is at ambient temperature. The examiner asserts that the hybridization conditions recited by the claims are of medium stringency and thus the nature and breadth of the claimed invention encompasses polynucleotides that are less than 90% identical to SEQ ID NO:8 and originate from any natural or man-made source. The examiner however helpfully suggested at the bottom of page 4 of the Office Action that limiting the hybridization conditions disclosed in the sentence bridging page 16 and 17 of the specification would obviate this rejection. Accordingly, applicants have adopted the examiner's suggestion and amended claims 15, 27 and 28 to incorporate high-stringent hybridization and wash conditions as fully supported by the sentence bridging pages 16 and 17 of the present specification.

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Reconsideration and withdrawal of the rejection are
therefore respectfully requested.

In view of the above, the claims comply with 35 U.S.C.
§112 and define patentable subject matter warranting their
allowance. Favorable consideration and early allowance are
earnestly urged.

Respectfully submitted,
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